NATIONAL SECURITY AGENCY
CENTRAL SECURITY SERVICE
FORT GEORGE G. MEADE MARYLAND 20755-6000

6 August 2012

MEMORANDUM FOR THE CHAIRMAN, INTELLIGENCE OVERSIGHT BOARD

THRU: Assistant to the Secretary of Defense (Intelligence Oversight)

SUBJECT: (U//~~FOUO~~) Report to the Intelligence Oversight Board on NSA Activities - INFORMATION MEMORANDUM

(U//~~FOUO~~) Except as previously reported to you or the President, or otherwise stated in the enclosure, we have no reason to believe that intelligence activities of the National Security Agency during the quarter ending 31 March 2012 were unlawful or contrary to Executive Order or Presidential Directive and thus should have been reported pursuant to Section 1.6(c) of Executive Order 12333, as amended.

(U//~~FOUO~~) The Inspector General and the General Counsel continue to exercise oversight of Agency activities by inspections, surveys, training, review of directives and guidelines, and advice and counsel. These activities and other data requested by the Board or members of the staff of the Assistant to the Secretary of Defense (Intelligence Oversight) are described in the enclosure.

George Ellard

GEORGE ELLARD
Inspector General

RAJESH DE
General Counsel

(U//~~FOUO~~) I concur in the report of the Inspector General and the General Counsel and hereby make it our combined report.

KEITH B. ALEXANDER
General, U. S. Army
Director, NSA/Chief, CSS

Encl:
Quarterly Report

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Approved for Release by NSA on 12-19-2014, FOIA Case # 70809 (Litigation)

## I. (U) Intelligence, Counterintelligence, and Intelligence-Related Activities that Violated Law, Regulation, or Policy and Were Substantiated during the Quarter, as well as Actions Taken as a Result of the Violations

### I.A. (U) Intelligence Activities Conducted under Executive Order (E.O.) 12333 Authority

#### I.A.1 (U) Unintentional Targeting or Database Queries against U.S. Persons (USPs) or Foreign Persons in the United States

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ During the first quarter of calendar year 2012 (CY2012), NSA continued [redacted] As part of that process, duplicate selectors were removed and the number of active selectors [redacted] was reduced. As a result, [redacted] NSA's primary tasking tools for telephone and Internet selectors contained approximately [redacted] active selectors, down from the [redacted] reported last quarter.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) Also during the first quarter of CY2012, signals intelligence (SIGINT) analysts in [redacted] instances inadvertently targeted communications to, from, or about USPs while pursuing foreign intelligence tasking. Unless otherwise specified, all intercepts, query results, and reports have been deleted or destroyed as required by United States SIGINT Directive SP0018.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

#### I.A.1.a. (U) Tasking Errors

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst targeted his personal cell phone [redacted] The error occurred because the analyst mistakenly thought that it would be acceptable to [redacted] on his own phone. All non-compliant data was deleted.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] analyst discovered that a selector believed to be a valid foreign intelligence target was associated with a USP with dual citizenship. The selector was detasked [redacted] All non-compliant data was purged.

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(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] All data has been purged.

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a tasked selector believed to be a valid foreign intelligence target was associated with a USP. The selector was detasked [redacted] was asked to purge the data. No reports were issued.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

*Derived From: NSA CSSM 1-52*
*Dated: 20070108*
*Declassify On: 20370710*

~~(S//SI//REL TO USA, FVEY)~~ analyst discovered through research that a selector targeted belonged to a USP. The selector was detasked and results were deleted, and data was purged reports were cancelled

~~(TS//SI//NF)~~ it was discovered that selectors associated with had been erroneously tasked. The selectors were supposed to have been were mistakenly entered into the tasking database. Selectors were tasked All non-compliant data was purged.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ it was discovered that a selector associated with a USP had been tasked because of a typographical error. The selector was detasked that same day, and no collection occurred.

~~(S//SI//REL TO USA, FVEY)~~ it was discovered that an NSA analyst had tasked a selector associated with a USP. The error occurred because the selector had The selector was detasked No collection occurred, and no reports were issued.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a USP had been erroneously tasked The error occurred because sufficient research had not been completed. The selector was detasked purge all data, and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector for a valid foreign intelligence target had mistakenly been left on task while the target was in the United States. No collection occurred, and no reports were issued.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(TS//SI//NF)~~ an NSA analyst discovered that a selector associated with As a result of a typographical error by a misspelled selector had been entered into NSA's database When the NSA analyst ran a query on the correctly spelled selecto therefore, the analyst began to review the query results, which highlighted the problem. The database entry has since been corrected. The analyst detasked the selector All queries and query results were deleted. One report had been published; it was cancelled and re-issued without the USP reference.

~~(S//SI//REL TO USA, FVEY)~~ While scanning traffic an NSA analyst discovered that a selector associated with a USP had been erroneously tasked. The error occurred because the USP as the valid foreign intelligence target and the targeting analyst had not thoroughly researched the selector. The selector was detasked The query and query results were deleted, and no reports were issued.

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(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//NF)~~ [redacted] an NSA analyst discovered that a selector associated with a USP had been erroneously tasked [redacted] Although the analyst conducted the required research, [redacted] who passed the selector to NSA, failed to provide the USP status. The selector was detasked, [redacted] were deleted [redacted] The analyst was counseled about the importance of questioning lead information.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.A.1.b. (U) **Database Queries**

~~(S//SI//REL TO USA, FVEY)~~ [redacted]

(b)(3)-P.L. 86-36

(U//~~FOUO~~) On [redacted] occasions during this quarter, analysts performed overly broad or poorly constructed database queries that potentially targeted and/or returned information about USPs. These queries used [redacted] that produced imprecise results.

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(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ On [redacted] of those occasions, the queries returned results from the database. The query results were deleted or aged off, as required, and no reports were issued. Analysts who performed these queries were counseled by their management.

(U) Procedural and other errors contributed to the following incidents.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts performed [redacted] queries in raw traffic databases without first performing the required research on the selectors. All the queries returned results, which were deleted; no reports were issued.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] in response to a customer's request for information, NSA analysts performed [redacted] queries in raw traffic databases using selectors believed to be associated with foreign intelligence targets. The analysts disseminated the results via e-mail. The analysts later learned that the targets were USPs. All query results were deleted, and the customer was notified to delete all e-mails. The analyst was counseled on proper procedure for evaluating selectors before querying.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst inadvertently performed a query in a raw traffic database on a selector associated with a USP. The analyst had intended to search on a valid foreign intelligence selector but accidentally searched on the selector for the USP [redacted] The results were deleted, and no reports were issued. The analyst was counseled to be more careful when performing queries in raw traffic databases.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ it was discovered that an NSA analyst had performed a query in a raw traffic database using an e-mail selector associated with a USP. The analyst mistakenly believed that the e-mail selector was associated with The query results were deleted.

- ~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst performed a query in a raw traffic database The error occurred because the analyst No results were returned from the query, and no reports were issued. The analyst was counseled on the importance of before performing queries.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA database auditor discovered that an analyst had conducted a query in a raw traffic database on a selector associated with a foreign target living in the United States. The error occurred because the analyst did not perform the required research on the selector. The results were deleted, and the analyst was counseled.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst performed a query in a raw traffic database on selectors thought to be associated with a valid foreign intelligence target the queried target was determined to be in the United States. All data was purged. The analyst was counseled on the process for conducting searches.

- ~~(S//SI//REL TO USA, FVEY)~~ it was discovered that query that included the selector for a valid foreign intelligence target while the target was in the United States. Although the analyst the analyst forgot to remove the selector In addition, query results from were e-mailed to another team member. The selector was removed and the team member verified deletion of the query results

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- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst queried a raw traffic database using his personal cell phone number while in deployment training. The analyst and class were counseled. Additional information on the proper use of the database was added to the training. No results were returned by the query.

- ~~(S//SI//REL TO USA, FVEY)~~ analyst performed a query in a raw traffic database that inadvertently included a USP telephone number. The query returned no results.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst inadvertently performed queries on a selector associated with a USP. The selector, originally tasked was detasked However, the analyst was new to the office and was unaware of the USP status

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(b)(3)-50 USC 3024(i)

reports were issued. The analyst was counseled about the importance of using current information to verify location.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst inadvertently ran a query in a raw traffic database on selectors associated with a target and included the period the target was in the United States. The selectors associated with the target had been detasked the United States. The query and results were deleted, and no reports were issued. The analyst was reminded about the importance of checking branch records on before running such queries.

- ~~(S//SI//REL TO USA, FVEY~~ an NSA analyst performed a query in a raw traffic database The error occurred because the analyst did not know that the

(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ analyst queried a selector associated with a valid foreign intelligence target for the period during which the target was traveling in the United States. This analyst had not reviewed an e-mail from another NSA analyst The query results were deleted, and no reports were issued.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ analysts performed queries in raw traffic databases without first performing the required research on the selectors. queries returned results, which were deleted; no reports were issued.

- ~~(TS//SI//NF)~~ an NSA analyst mistakenly performed a query on an Foreign Intelligence Surveillance Act (FISA)-authorized selector associated with a valid foreign intelligence target in a raw traffic database not authorized under FISA. No collection or reporting occurred. The analyst was counseled on evaluating selectors before querying.

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- ~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that that had been detasked because of the target's the United States. The analyst responsible for the The query results were deleted on when the analyst responsible for the tasking returned from leave. No reporting occurred. The analyst was counseled regarding the need the United States.

- ~~(S//SI//REL TO USA, FVEY)~~ it was discovered that an analyst, in response to a customer request for information (RFI), performed queries on a USP in a database This error occurred because the analyst had not carefully read the RFI. The query results were deleted. The analyst was counseled to review RFIs thoroughly before performing database queries, and the customer was alerted that NSA would not support these types of RFIs.

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(b)(3)-50 USC 3024(i)

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- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst performed queries in a raw traffic database on a selector for a valid foreign intelligence target but A copy and paste error No results were returned from any of the queries, and no reports were issued. The analyst was counseled on correct procedures for

(b)(1)
(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst mistakenly performed overly broad queries in two raw traffic databases. The queries were performed The analyst deleted the queries the queries had reappeared. It is not known whether the queries reappeared as a result of analyst or system error. The analyst deleted the queries again under the supervision of the Intelligence Oversight (IO) Officer (IOO). No results were returned by the queries and no reports were issued. The analyst was counseled regarding correct query procedures.

- ~~(S//SI//REL TO USA, FVEY)~~ analyst ran a query on an e-mail selector associated with a USP who held dual citizenship. The target's citizenship was discovered later through The query results were deleted. The selector was not tasked, and no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst performed a query in a raw traffic database on a selector associated with a valid foreign intelligence target and included the period the target was in the United States. The error occurred because the time period checked did not coincide with the dates of the query. The query results were deleted, and no reports were issued.

- ~~(S//SI//REL TO USA, FVEY)~~ an analyst performed a query in a raw traffic database on a selector associated with a valid foreign intelligence target and included the period the target was in the United States. The analyst was The analyst stopped reviewing the query results before reaching the U.S. travel dates. The results were deleted, and no reports were issued. The analyst was reminded about the importance before running such queries.

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(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst mistakenly performed a query in a raw traffic database The analyst had not conducted thorough research and was unaware The analyst was counseled regarding the importance of identifying before submitting queries

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst queried telephony selectors believed to be associated with valid foreign intelligence targets. The query results identified the users of the selectors as U.S. All data has been purged.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

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(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)



- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed a query in a raw traffic data base [redacted] The analyst did not know that [redacted] had been assigned to a USP. No results were returned by the query, and no reports were issued. The analyst was counseled about performing checks before submitting queries.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] analysts performed [redacted] queries in raw traffic databases on valid foreign intelligence selectors while the targets were in the United States. The analysts did not perform the required research on the selector or did not [redacted] In two instances, the queries returned results, which were deleted. No reports were issued. The analysts were counseled on the importance of reviewing all available information before executing queries.

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- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an analyst performed [redacted] queries in a raw traffic database without first conducting the required research on the selector. The queries [redacted] No results were returned from any of the queries, and no reports were issued. The analyst was reminded about the importance of checking the selector location.

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(b)(3)-P.L. 86-36

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed a query on a [redacted] The query and results were immediately deleted. The analyst was counseled on proper query procedure.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed a query in a raw traffic database [redacted] as the search term. The analyst had expected the query to return foreign intelligence information. The query results were deleted, and no reports were issued. The analyst was counseled not to use [redacted] as search terms.

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(b)(3)-50 USC 3024(i)

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] a database auditor discovered that an analyst had mistakenly performed a query in a raw traffic database on a U.S. [redacted] The analyst had intended to use the foreign target's [redacted] but confused that [redacted] with the [redacted] No results were returned by the query, and no reports were issued.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed [redacted] queries in a raw traffic database [redacted] The analyst was not aware that the [redacted] No results were returned by the queries and no reports were issued. The analyst was counseled regarding the incident.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] during a routine database audit, an NSA database auditor discovered that an analyst had performed a query using a U.S. e-mail selector [redacted] The error occurred because the analyst had copied and pasted the e-mail selector into the query [redacted] The query results were deleted, and no reports were issued. The analyst was counseled on the importance of reviewing queries before submitting them.

- ~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst performed a query on selectors believed to be associated with a foreign intelligence target. The analyst learned [redacted] from a database auditor that the target held dual U.S. and [redacted] citizenship.

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(b)(3)-50 USC 3024(i)

The query results were deleted, and the selectors were detasked. The analyst was counseled on the importance of using branch working aids to research potential selectors.

- ~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst inadvertently performed a query in a raw traffic database based on a previous compliant query, and the analyst believed that the would not create a non-compliant query. No results were returned by the query, and no reports were issued. The analyst was counseled to exercise caution.

(b)(1)
(b)(3)-P.L. 86-36

- ~~(S//SI//NF)~~ an NSA analyst performed a query in a raw traffic database, using a selector associated with a USP without first performing the required research on the selector. The query results were deleted. The analyst was counseled to research selectors before submitting queries.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

### I.A.1.c. (U) Detasking Delays

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that selectors had not been detasked upon learning that the United States. Associated selectors were detasked on. No collection occurred. The analyst was reminded of the importance of maintaining records of all selectors for a target in one location to facilitate tasking actions.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered that a selector associated with a valid foreign intelligence target remained on task after the target had arrived in the United States. The selector was detasked. All non-compliant data was purged, and no reports were issued.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst found that a selector associated with a foreign intelligence target remained on task after the target had arrived in the United States. the selector had been inaccurately. The selector was detasked and all non-compliant data was purged.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ it was discovered that a selector for a valid foreign intelligence target remained on task while the target had been in the United States. The selector had been but a software glitch kept the selector allowing it to be accessed. Non-compliant data was purged. The software glitch was corrected. Because the error was found after the U.S. travel, subsequent detasking was not necessary.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector had remained on task after it had been learned that the target was a USP. The selector was detasked. No collection occurred, and no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an analyst found that selectors had remained on task after it had been learned that the target was a USP. The selectors were detasked. Non-compliant data was purged. request for published reports was approved. Branch members were reminded to research selectors before tasking.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst found that an e-mail selector associated with a valid foreign intelligence target remained on task while the target visited the United States. the United States, the e-mail selector remained tasked because the analyst had been unaware that the target had traveled to the United States. This detask delay occurred but not to the NSA analyst. the e-mail selector was detasked. Collection occurred, but purging was not required. No reports were issued.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that selectors had remained on task when the target was in the United States Traffic for the selector was not reviewed regularly. The selectors were detasked, and the non-compliant data was purged. Procedures were established to monitor traffic more frequently for targets

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

(b)(1)
(b)(3)-P.L. 86-36

### I.A.2 (U)

~~(S//SI//REL TO USA, FVEY)~~

~~(TS//SI//NF)~~

### I.A.3 (U) **Unauthorized Access**

~~(S//REL TO USA, FVEY)~~ An NSA manager discovered that analyst under authority of the Director, NSA (DIRNSA) had been granted access to raw SIGINT databases that were not listed in the documents authorizing the access. The period of unauthorized access spanned The documents authorizing access were amended

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(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

~~(S//REL TO USA, FVEY)~~ it was discovered that analyst had moved to a different mission element but had kept access to NSA databases. A second analyst had been working under the same circumstances After investigation, it was determined that there was no need to purge data, and no reports were affected

~~(S//REL TO USA, FVEY)~~ it was discovered that several NSA analysts were operating in a location for which their access was not authorized New documentation authorizing the analysts' work at the location was subsequently submitted and approved.

~~(S//REL TO USA, FVEY)~~ it was discovered that account authentication for a raw SIGINT database had not been properly validated This occurred after a system upgrade Proper account authentication processes were restored

(b)(1)
(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ it was discovered that analyst had accessed NSA raw traffic databases from a location not authorized for such access Because of the time lag in reporting, the exact databases accessed and the types of queries run could not be determined The is no longer accessing NSA databases from that location.

~~(S//SI//NF)~~ NSA database auditors discovered that an NSA analyst's access to a raw traffic database had not been deleted when he resigned from NSA in The error was detected when the analyst began working as a contractor for another IC agency

~~(S//SI//REL TO USA, FVEY)~~ an NSA software developer performed a query through an online tutorial that improperly accessed raw SIGINT data. The error occurred because the tutorial, which The development team removed The query results were deleted.

(U//~~FOUO~~) In one instance, database access was not terminated when access was no longer required Although not considered a violation of E O. 12333 or related directives, the access was terminated

(b)(1)
(b)(3)-P.L. 86-36
(b)(3) 50 USC 3024(i)

### I.A.4 (U) **Unauthorized Dissemination**

~~(S//SI//NF)~~ an NSA analyst mistakenly shared information associated with a USP in an e-mail to a customer. The analyst believed that the e-mail containing the information was a published report the analyst reported the incident, and the analyst confirmed the recall of the information.

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(b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an analyst discovered dissemination of USP information that was attributed to an error The system were repaired The report was deleted, and associated data was purged from the databases

~~(S//SI//NF)~~ analysts on occasions mistakenly disseminated raw SIGINT to customers not authorized to receive raw SIGINT On occasions, the data included USP information The SIGINT was recalled. The analysts were reminded about dissemination policies.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(S//SI//NF)~~ an analyst discovered that unminimized USP identifications had been mistakenly disseminated to IC customers. The message was recalled

~~(S//SI//REL TO USA, FVEY)~~ analyst operating under DIRNSA authority inadvertently disseminated USP information in a Web-based repository The data was quarantined in the repository, and all copies of the dissemination were purged.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst mistakenly disseminated raw SIGINT in an e-mail to other NSA analysts not authorized to receive raw SIGINT The receiving analysts had been delegated the SIGINT mission but had not completed the required training. The e-mail was deleted.

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst mistakenly disseminated USP information in an e-mail to a customer, who, in turn, forwarded the e-mail to a distribution list Recipients were asked to delete the e-mail, and deletion was confirmed

## I.B. (U) **Foreign Intelligence Surveillance Act (FISA)**

### I.B.1. (U) **NSA/CSS Title I FISA**

(b)(1)
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

#### I.B.1.a. (U) **Detasking Delays**

~~(TS//SI//NF)~~ an NSA analyst discovered that an e-mail selector authorized under a Foreign Intelligence Surveillance Court (FISC) Order All non-compliant data was purged, and no reports were issued

(b)(1)
(b)(3)-P.L. 86-36

The analyst was counseled regarding proper procedures for incident reporting and purging

~~(TS//SI//NF)~~ an NSA analyst discovered that an e-mail selector associated with a FISC-authorized target This error occurred because the analyst responsible for reviewing FISA traffic had left the branch and had not been immediately replaced The selector was detasked. and query results

were deleted [redacted] No collection occurred, and no reports were issued. The branch has instituted new procedures for monitoring targets and documenting traffic reviews

~~(TS//SI//NF)~~ [redacted] an NSA analyst discovered that a cell phone selector associated with a FISC-authorized target [redacted] This error occurred because the analyst believed that the target [redacted] The selector was detasked [redacted] No reports were issued. All non-compliant data has been marked for purging. The branch has instituted new procedures for detasking selectors when learning that targets [redacted]

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~~(TS//SI//NF)~~ [redacted] All selectors were detasked and all collection terminated [redacted] All non-compliant data was purged, and no reports were issued. Branch analysts were trained regarding targeting [redacted]

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-18 USC 798
(b)(3)-50 USC 3024(i)

### I.B.1.b. (U) Unauthorized Access

(U//~~FOUO~~) [redacted] an NSA branch chief discovered that personnel assigned to one NSA office had unauthorized access to NSA/CSS Title I FISA data within the office shared drive [redacted] This error occurred because office management was unaware that access requirements had changed [redacted] and system records on training and clearances were incomplete or inaccurate. Records have been corrected; personnel have either completed required training or have been removed from access.

(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] it was discovered that five analysts who were properly trained to access data collected under FISA authorities were granted access to the data while supporting a mission that was not authorized for this access. The unauthorized access occurred [redacted] and raw traffic database queries were executed in this period. All query results were deleted. Individuals responsible for granting access were given additional training to prevent recurrence of this error.

(b)(1)
(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ [redacted] it was discovered that NSA/CSS Title I FISA data was accessible to personnel not trained or cleared for access to the data. A software glitch occurred during [redacted] thereby allowing potential access to the data. Transfer of data has stopped until the software problem is corrected, and all personnel who have access to the data repository have received the required training. All [redacted] data was purged from the repository

~~(S//SI//REL TO USA, FVEY)~~ [redacted] analysts accidentally posted FISA data in a chat room that was not authorized for FISA. Data is not stored in the chat room and was no longer available once the chat room was closed. Guidance was issued to all personnel regarding posting of FISA data in this venue.

(b)(3)-P.L. 86-36

(U//~~FOUO~~) it was discovered that personnel had unauthorized access to NSA/CSS Title I FISA data. This occurred because security protections were too broad, and personnel had not been trained or cleared for access. All problems had been resolved (b)(1) (b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ it was discovered that NSA analysts on three separate occasions had loaded data into databases not authorized to hold FISA data. The records were deleted, and the analysts were counseled.

~~(TS//SI//NF)~~ an NSA analyst discovered that system data collected on targets had been erroneously forwarded to a local shared drive not authorized to hold FISA data. As a result, the data was available to personnel not authorized for access The non-compliant data has been purged. (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

I.B.1.c. (U) **Data-Handling Error**

~~(TS//SI//NF)~~ an NSA analyst discovered that collection on a selector had not been purged. On 27 February 2012, all non-compliant data was purged, and no reports were issued. The branch established new procedures for monitoring selector status. (b)(1) (b)(3)-P.L. 86-36

I.B.1.d. (U) **Database Queries**

~~(TS//SI//NF)~~ an NSA database auditor discovered that an analyst had mistakenly performed queries on selectors associated with FISC-authorized targets in a raw traffic database not authorized under FISA. The analyst was researching the selectors to support No results were returned by the queries, and no reports were issued.

~~(TS//SI//NF)~~ an analyst performed a query in a raw traffic database on a FISC-authorized The analyst, working for who had assumed coverage mistakenly ran the query in an NSA database. The results were deleted. (b)(1) (b)(3)-P.L. 86-36

I.B.2 ~~(S//REL TO USA, FVEY)~~ (b)(1) (b)(3)-P.L. 86-36 (b)(3)-50 USC 3024(i)

I.B.2.a. (U) **Unauthorized Targeting**

~~(TS//SI//NF)~~ an NSA analyst discovered during a routine audit that a query had been performed The

query, which was poorly constructed, was stopped and the results deleted A second query was performed [redacted] but no results were returned. No reports were issued from either query. The analyst was counseled regarding proper query procedures and the importance of verifying selectors.

### I.B.2.b. (U) Unauthorized Access

~~(TS//SI//NF)~~ [redacted] an NSA analyst mistakenly accessed [redacted] data. The analyst was authorized to view [redacted] data but had not completed the minimization training required by the FISC Order Access to the data has been restricted to database administrators while database capabilities to restrict access are reviewed.

(b)(1)
(b)(3)-P.L. 86-36

### I.B.3. ~~(TS//SI//NF)~~ Business Records (BR) Order

~~(TS//SI//NF)~~ [redacted] NSA determined that a technical server contained BR call detail records older than the approved five years Approximately [redacted] records, comprising approximately [redacted] records, were retained for more than five years The records were found on an access-controlled server that is used exclusively by technical personnel and is not accessible to intelligence analysts [redacted] (b)(1) [redacted] -P.L. 86-36 [redacted] -50 USC 3024(i) [redacted] See Section II D., *Congressional and IO Board Notifications*, p. 25

### I.B.4. ~~(TS//SI//NF)~~ Pen Register/Trap and Trace (PR/TT) Order

~~(TS//SI//NF)~~ The PR/TT Order expired on 9 December 2011 and was not renewed

### I.B.5. (U) FISA Amendments Act (FAA)

### I.B.5.a. (U) Section 702

(b)(3)-P.L. 86-36

(U//~~FOUO~~) As previously reported, NSA/CSS has implemented a new process to ensure that FAA §702 data that is required to be purged is purged from NSA/CSS databases [redacted] to identify non-compliant data that should be purged

### I.B 5.a.i. (U) Unauthorized Targeting

~~(S//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst mistakenly retasked [redacted] selectors that had been detasked [redacted] The selectors were detasked [redacted] and no collection occurred.

~~(TS//SI//NF)~~ [redacted] an NSA analyst researching a tasked selector thought to be associated with a foreign intelligence target traveling to the United States determined that the selector was associated with a USP [redacted] The selector was detasked immediately

(b)(1)
(b)(3)-P L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ NSA analysts discovered that selectors associated with USPs had been inadvertently tasked The errors occurred because the analysts did not perform sufficient research on the selectors before tasking it The selectors were detasked, data was purged, and no reports were issued

~~(TS//SI//NF)~~ while researching an alternate selector believed to be associated with a valid foreign intelligence target, an NSA analyst discovered an IC agency report issued that indicated that the target was a USP In researching the primary selector before tasking the NSA analyst did not uncover the report because the selector was misspelled in the report. The selector was emergency detasked, and all non-compliant data was purged One report was recalled and re-issued

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ an NSA analyst, reviewing collection on a selector tasked found information indicating that the target might be a USP Investigation with an IC partner confirmed the target's USP status The selector was detasked, all non-compliant data was purged, and no reports were issued.

~~(TS//SI//REL TO USA, FVEY)~~ an Oversight & Compliance analyst discovered that a selector had been erroneously approved for tasking under FAA §702 The error occurred because the analyst did not do sufficient research on the selector The selector was detasked when the target traveled to the United States. All non-compliant data was purged

I.B.5.a.ii. (U) **Tasking Errors**

(b)(1)
(b)(3)-P.L. 86-36

(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ it was discovered that a tasked selector did not include the appropriate authorizations A detask order was processed for the selector This system error was identified, and a correction was implemented No collection occurred

~~(TS//SI//REL TO USA, FVEY)~~ On occasions NSA analysts discovered that selectors for foreign intelligence targets had been tasked incorrectly The selectors were detasked, and non-compliant data was purged or marked for purging reports were cancelled and re-issued.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a tasking cancellation had been improperly processed, allowing a selector for an e-mail account that the United States to be erroneously tasked. The tasking was approved The error was identified and the account was detasked immediately The reviewing analyst has been advised of the proper procedure for canceling tasking All non-compliant data was purged, and no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ an NSA analyst discovered that collection from a tasked selector had been dual routed to an IC partner in error The selector

was immediately detasked No purging by NSA is required; the IC partner will handle collection from [redacted] in accordance with its minimization procedures

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ [redacted] it was determined that a target had traveled to the United States in [redacted] The selector was approved for tasking [redacted]; however, an IC partner analyst [redacted] but did not follow standard procedures for alerting NSA. The selector was not detasked because the target had already departed the United States. No collection occurred The IC partner analyst has been retrained on procedures for [redacted] and detasking

~~(TS//SI//NF)~~ [redacted] it was discovered that a selector authorized under FAA §704 had been erroneously tasked under FAA §702 because of a miscommunication between NSA and an IC partner The agencies have highlighted the applicable legal standards and the necessity to communicate clearly among and between the agencies The selector was detasked, and data was purged.

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a selector associated with a foreign intelligence target had remained tasked while the target was in the United States Although an analyst had detasked the selector [redacted] the selector was retasked as a result of a system error that has since been fixed. The selector was immediately detasked All non-compliant FAA §702 data collected was purged. and no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a tasked selector associated with a valid foreign intelligence target had remained tasked while the target was in the United States from [redacted] The error occurred because the analyst did not perform additional research on the target and was unaware that the target, who had been in the United States [redacted] The selector was [redacted] detasked, and all non-compliant data was purged

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] an NSA analyst discovered that a tasked selector associated with a valid foreign intelligence target had remained tasked while the target was in the United States [redacted] Because of personnel changes, collection for the selector had not been reviewed [redacted] The selector was not detasked because the target had already departed the United States. All non-compliant data was purged The NSA office involved performed a review of selectors [redacted] to address the effects of the personnel changes.

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY~~ [redacted] an NSA analyst discovered that an account associated with a valid foreign intelligence target [redacted] the United States on [redacted] Traffic for the account had not been reviewed [redacted] The selector was detasked, and all non-compliant data was purged

(b)(3)-P.L. 86-36

I.B 5.a.iii. (U) **Database Queries**

~~(TS//SI//NF)~~ an IC customer notified an NSA analyst that a selector submitted to NSA by the IC customer for target development was associated with a USP. The analyst had performed queries of FAA §702 databases for the selector on 3 days All query results were deleted. Checks performed by the NSA analyst before the query showed only foreign NSA informed the IC customer that NSA must be clearly warned about potential USPs in subsequent requests

~~(TS//SI//NF)~~ an NSA analyst queried FAA §702 databases on selectors for a USP authorized under The analyst immediately identified the error, and the query and results were deleted (b)(1) (b)(3)-P L. 86-36

~~(TS//SI//NF)~~ an NSA analyst queried FAA §702 databases using a selector for a USP authorized FAA §705(b) The analyst immediately deleted the query and results The analyst's raw SIGINT database access was revoked for 30 days, and future queries will be reviewed by senior analyst before submission.

~~(TS//SI//NF)~~ an NSA analyst queried a selector associated with a target authorized under The selector had been detasked when it was found to be accessed from the United States The query and results were deleted.

~~(S//SI//REL TO USA, FVEY)~~ On occasions NSA analysts performed overly broad queries without including search terms to limit the queries. In one case, the query returned results, which were deleted. The analysts were counseled to include terms to limit query results

~~(TS//SI//NF)~~ an NSA database auditor discovered that an analyst had executed queries on selectors tasked under FAA §704 authority against FAA §702 data The query results were deleted, and no reports were issued The auditor reminded the targeting analysts of the prohibition on querying FAA §704 targets in FAA §702 collection

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst queried selectors against databases containing FAA §702 data without first researching the selectors to assess foreignness. The query returned USP information. The query and results were deleted immediately The analyst was counseled on proper procedure for conducting queries (b)(1) (b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a USP and authorized under consensual collection was erroneously queried in FAA §702 databases from The error occurred because the selector's USP status The query, which did not return results, was deleted. In the future, the targeting office will ensure that such selectors are

~~(TS//SI//NF)~~ an NSA supervisor discovered that an overly broad query had been performed using a selector tasked under FAA §704 authority in an FAA §702 database. The analyst in developing the query. The query

results were deleted, and no reports were issued. Analysts in the production office were reminded of the rule prohibiting querying FAA §704 targets in FAA §702 collection

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector had remained tasked while the target was in the United States The tasking analyst had misspelled the selector query of FAA §702 databases and, as a result, had not seen any traffic for the selector The selector was detasked This error also caused an associated selector to remain tasked All non-compliant data was purged.

~~(S//SI//REL TO USA, FVEY)~~ NSA analysts submitted overly broad database queries because they used an invalid search format without The queries were deleted and did not return results The analysts were counseled to use (b)(1) (b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA database auditor discovered that an NSA analyst had queried an FAA §702 database for selectors belonging to a USP The error occurred because the analyst misunderstood query procedure The query results were deleted The analyst has received additional guidance on query procedures

~~(TS//SI//REL TO USA, FVEY)~~ an IOO determined that an NSA analyst had submitted overly broad queries without avoid obtaining results on USPs None of the queries returned results The analyst received additional training.

### I.B.5.a.iv. (U) **Detasking Delays**

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector that should have been detasked remained on task. The selector was detasked and all non-compliant data was purged.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector had inadvertently remained on task when the target entered the United States on The selector was detasked and all non-compliant data was purged. (b)(1) (b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ an NSA analyst discovered that a selector nominated by an IC customer was tasked while the target was in the United States. The IC customer analyst was not reviewing collection, believing that the selector had been detasked The IC customer's tasking system did not reflect the retasking The selector was detasked All non-compliant data was purged, and no reports were issued

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector associated with a foreign intelligence target remained tasked when the target entered the United States Traffic for the selector was not being reviewed The selector was detasked and all non-compliant data was purged

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst determined that a selector associated with a foreign intelligence target remained tasked while the target was in the United States An NSA analyst had detasked two other selectors for the target on the United States on but overlooked detasking of this selector. The selector was detasked on and all non-compliant data was purged. (b)(1) (b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst determined that an account associated with a tasked selector United States on The NSA tasking analyst believed that the selector had been detasked and thus had not reviewed collection for several weeks. The selector for the account was detasked all non-compliant data was purged, and no reports were issued.

~~(TS//SI//NF)~~ an NSA analyst discovered that collection for a selector, properly detasked by NSA because of remained on dual-route to an IC customer The team responsible for detasking the dual route missed the request and did not detask until No purging is required for NSA, the IC customer will handle collection in accordance with its minimization procedures. (b)(1) (b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA linguist discovered that a target had been in the United States on The linguist did not follow detasking procedures, and the selector was not detasked The linguist has received follow-up training on the need for detasking upon recognition of a target the United States. All non-compliant data was purged

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst learned that a selector associated with a foreign intelligence target remained tasked while the target was in the United States on The selector had been detasked when the target The selector had been mistakenly reapproved for tasking on All non-compliant data was purged. (b)(1) (b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ an NSA analyst reviewed information revealing that a selector associated with a foreign intelligence target had been erroneously tasked The tasking analyst had not performed sufficient research before submitting the selector for tasking A report issued by an IC partner indicated that the target the United States. The selector was immediately detasked, and all non-compliant data was purged The targeting office has revised its targeting procedures

~~(TS//SI//NF)~~ an IC partner determined that NSA mistakenly continued to task a selector when an associated selector was detasked on because of the target's the United States. The selector was not detasked because the user left the United States as of Non-compliant data was purged

(b)(1) (b)(3)-P.L. 86-36

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector inadvertently remained on task when associated selectors for the target were detasked on because the target had entered the United States. The selector was immediately detasked, and non-compliant data was purged.

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(b)(3)-P.L. 86-36

~~(S//SI//REL TO USA, FVEY)~~ NSA discovered that detasked (b)(3)-50 USC 3024(i) selectors This was the result of an error that occurred during an update to the internal report system software The software was corrected

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a tasked selector believed to be associated with a foreign intelligence target was probably a USP and in the United States. The selector was detasked on All non-compliant data has been marked for purging, and no reports were issued

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst determined that an a tasked selector had been deactivated The original account had been inactive since The selector was detasked on and all non-compliant data was purged.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that an with a tasked selector the United States between The NSA tasking analyst had not reviewed associated traffic since believing that the selector had been detasked at that time. The selector was detasked on All non-compliant content was purged, and no reports were issued

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector remained tasked when the target was in the United States on On an NSA analyst de-tasked the selector, but the selector retasked because of a error The error has been fixed. All non-compliant FAA §702 data collected was purged, and no reports were issued

~~(TS//SI//NF)~~ an IC customer was informed by SIGINT Directorate Oversight & Compliance that a tasked selector the United States from 18 through The IC customer analyst was aware the United States on but did not detask the selector The selector was detasked on and all non-compliant data was purged

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst investigating an that a target was in the United States determined that the associated selector should have been detasked Collection had not been reviewed since that time because the analysts responsible for the selector believed that it had been detasked. The selector was detasked on and all non-compliant data was purged

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst found that an a tasked selector the United States on The NSA tasking analyst had not detasked the selector upon receipt of information on regarding the the United States The selector was detasked on All non-compliant content was purged, and no reports were issued

(b)(1)
(b)(3)-P L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst found that an a tasked selector the United States between NSA had detasked selector for the target when the the United States on , but the tasking analyst overlooked the selector The selector was not detasked because the target departed the United States All non-compliant data was purged, and no reports were issued.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a tasked selector Traffic for the selector had not been reviewed regularly by the tasking analyst The selector was detasked All non-compliant data was purged, and no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector had remained tasked when the target entered the United States on Collection for the selector had not been reviewed The selector was detasked on All data from was purged

~~(TS//SI//REL TO USA, FVEY)~~ an NSA tasking team reported that a selector had inadvertently remained tasked after the original target was identified as a USP and the target's were detasked on collection showed that the selector was a foreign intelligence target. No collection for the original target occurred

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ it was discovered that an account associated with a valid foreign intelligence target the United States since Because of miscommunication, the information on was not received by the tasking team until The selector was detasked on All non-compliant data was purged, and no reports were issued

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a tasked account associated with a foreign intelligence target had remained on task while the target was in the United States from The analyst had stopped following this target as of
The selectors were detasked and all non-compliant data was purged

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst received associated with a valid foreign intelligence target the United States on The targeting analyst researched and found no evidence that the target the United States Although the reason for the was not determined, the selector was detasked and all non-compliant data was purged

(TS//SI//NF) an NSA analyst detasked a selector after the target was identified as a USP On an NSA analyst initiated tasking for a selector on the basis of lead information from an IC partner. When informed by the IC partner that the target was a USP, the NSA analyst did not request cancellation All non-compliant data was purged.

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ NSA detasked a selector upon learning that the target had traveled to the United States The detasking request was not processed NSA has since revised its processes to ensure complete detasking

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst detasked a selector because the target was in the United States and the United States The selector was not detasked from targeting system when another analyst discovered the error No collection occurred.

~~(TS//SI//REL TO USA, FVEY)~~ NSA determined that a selector had remained tasked for a target who was in the United States on had been detasked, but the analyst had overlooked . The selector was detasked on and all non-compliant data was purged

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//REL TO USA, FVEY)~~ NSA determined that an analyst had not completely detasked a selector after the target had entered the United States The analyst had detasked the selector The selector was detasked and no collection occurred. The analysts have been reminded of the procedures to ensure proper detasking

I.B 5 a v. (U) **Data-Handling Errors**

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that FAA §702 data had been improperly stored in a directory not certified for FAA data The file was protected and accessible only to the analyst Backup copies of the uncertified directory aged off within two months. The entire production office has been reminded of proper handling procedures for FAA traffic.

(b)(1)
(b)(3)-P.L. 86-36

I.B.5.a.vi. (U) **Unauthorized Dissemination**

~~(TS//SI//REL TO USA, FVEY)~~ it was discovered that NSA analysts had inadvertently disseminated FAA information via e-mail to a distribution list that contained an individual not authorized to review that information. The e-mails were recalled. The analysts were counseled on proper handling of this data and the need to ensure that recipients are authorized to receive the data.

~~(TS//SI//REL TO USA, FVEY)~~ an analyst mistakenly disseminated data to an e-mail group distribution list that included recipients not authorized to receive FAA §702 data. The analyst sent a separate e-mail to each recipient requesting deletion of the message and confirmed deletion.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that intelligence containing FISA/FAA data had been disseminated via e-mail to unauthorized individuals. The analysts confirmed that all copies of the e-mail containing the intelligence had been deleted.

(b)(1)
(b)(3)-P.L. 86-36

I.B.5.a.vi. (U) **Overcollection**

~~(S//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that traffic received for a tasked selector. The misconfiguration was resolved. All non-compliant data was purged.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.B.5.b. (U) **Section 704**

(U) Nothing to report.

I.B.5.c. (U) **Section 705(b)**

I.B.5.c.i. (U) **Unauthorized Targeting**

(b)(1)
(b)(3)-P.L. 86-36

~~(TS//SI//NF)~~ an NSA analyst discovered that a telephony selector thought to be associated with an FAA §705(b)-authorized target was actually the selector was detasked. No collection occurred, and no reports were issued.

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst determined that a selector associated with a USP had been erroneously tasked because the selector was believed to be selector for the intended foreign intelligence target. The selector was detasked, and data was purged.

~~(TS//SI//NF)~~ an NSA analyst questioned an IC partner about. The account was detasked, and data was purged. No reports were issued.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

I.B.5.c.ii. (U) **Detasking Error**

~~(TS//SI//REL TO USA, FVEY)~~ an NSA analyst discovered that a selector thought to be associated with a valid foreign intelligence target and tasked The tasking was corrected shortly after the error was discovered; however, the selector The selector was detasked No collection occurred, and no reports were issued.

(b)(1)
(b)(3)-P.L. 86-36

I.B.5.c.iii. (U) **Unauthorized Dissemination**

~~(TS//SI//REL TO USA, FVEY)~~ analysts mistakenly disseminated unserialized summaries containing FAA §705(b) and USP data in e-mails to recipients not authorized to receive that data. The analysts sent corrected summaries along with recall messages for all recipients to delete the original summaries and selectors, where appropriate, from all databases. The mission IOOs confirmed the recall and destruction of the non-compliant summaries.

I.C. (U) **Consensual Collection**

(U) Nothing to report.

(b)(1)
(b)(3)-P.L. 86-36

I.D. (U) **Dissemination of U.S. Identities**

~~(TS//SI//NF)~~ The NSA/CSS enterprise issued SIGINT product reports during the first quarter of CY2012. In those reports, SIGINT analysts included information that identified USPs or U.S. entities on occasions while pursuing foreign intelligence tasking. The majority of the U.S. entities' names were those of Internet service providers in e-mail selectors. In SIGINT products, disseminations were found to be improper, and the reports were canceled as NSA/CSS analysts learned of USPs, U.S. organizations, or U.S. entities named without authorization. All data in the canceled reports was deleted as required, and the reports were not re-issued or were re-issued with proper minimization.

I.E. (U) **Counterintelligence Activities**

(U) Nothing to report.

I.F. (U) **Detection and Prevention of Violations**

~~(TS//SI//REL TO USA, FVEY)~~ To reduce the risk of unauthorized telephony collection and prevent violations, NSA/CSS has instituted a process that gives analysts greater and faster insight into a target's location.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

[redacted] Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

~~(TS//SI//REL TO USA, FVEY)~~ [redacted] NSA analysts found [redacted] e-mail accounts [redacted] this quarter. Collected data was purged from NSA/CSS's principal raw traffic repositories when required.

(b)(1)
(b)(3)-P.L. 86-36
(b)(3)-50 USC 3024(i)

## II. (U) NSA/CSS Office of the Inspector General (OIG) IO Inspections, Investigations, and Special Studies

(U//~~FOUO~~) During the first quarter of CY2012, the OIG reviewed various NSA/CSS intelligence activities to determine whether they had been conducted in accordance with statutes, Executive Orders, Attorney General (AG) procedures, and Department of Defense and internal directives. With few exceptions, the problems uncovered were routine and showed that operating elements understand the restrictions on NSA/CSS activities.

### II.A. (U//~~FOUO~~) [redacted]

(b)(3)-P.L. 86-36

~~(S//REL TO USA, FVEY)~~ As part of a Joint IG inspection of [redacted] the IO inspection team reviewed IO program management, IO training, IO knowledge, and the application of IO standards in mission activities. The IO team found that [redacted] has improved its IO program by developing a site Operating Instruction, which outlines procedures for IO Incident Reporting and cross-agency collaboration between site IO program managers. Managing core IO training accountability and compliance awareness, establishing an experienced and trained IO team, and maintaining appropriate controls for FAA and FISA data pose significant challenges to the site.

### II.B. (U//~~FOUO~~) Cryptologic Services Group [redacted]

~~(S//REL TO USA, FVEY)~~ NSA/CSS OIG performed a short-notice inspection of [redacted] The inspection was limited in scope to a review of IO program management, training, access to raw traffic databases, and dissemination of SIGINT. The OIG team found [redacted] compliant with policy for protecting and disseminating SIGINT; however, the team recommended that the [redacted] develop an IO Standard Operating Procedure and a process to track database access.

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### II.C. (U) Unauthorized Intelligence Activity

(U) Nothing to report.

## II.D. (U) Misuse of the U.S. SIGINT System

(U) Nothing to report.

## II.E. (U) Congressional and IO Board Notifications

~~(TS//SI//NF)~~ On 27April 2012, NSA/CSS notified the Congressional intelligence committees about retention of BR-FISA records beyond the five-year period authorized by the FISC. The Department of Justice provided preliminary notice to the FISC on 29 February 2012. See the referenced item under "BR Order" on page 14.

## II.F. (U) Other Notifications

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~~(TS//SI//REL TO USA, FVEY)~~ NSA/CSS has notified the AG of [redacted] intelligence-related collection activities associated with USP hostage and detainee cases.

## III. (U) Substantive Changes to the NSA/CSS IO Program

### III.A. (U) [redacted]

(U//~~FOUO~~) As reported in the second quarter CY 2011 report, NSA/CSS had been developing a new tool to automate the process of submitting mission compliance incident reports across the worldwide NSA/CSS enterprise. Because of system problems, the [redacted], originally scheduled to be fully operational for the [redacted] is being redesigned. The revised implementation date is unknown.

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## IV. (U) Changes to NSA/CSS Published Directives or Policies Concerning Intelligence, Counterintelligence, or Intelligence-Related Activities and the Reason for the Changes

(U) Nothing to report.

## V. (U) Procedures Governing the Activities of DoD Intelligence Components that Affect USP (DoD Directive 5240.1-R, Procedure 15) Inquiries or Matters Related to IO Programs

(U) Nothing to report.